



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

September 1, 2010

✓ Mickie Smith

REDACTED

Warning Letter Re: FPPC Case No. 10/655, Mickie Smith

Dear Ms. Smith:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code Section 81000, et seq. This letter is in response to a referral submitted by the Department of Forestry and Fire for your failure to file the 2006 Annual Statement of Economic Interests. The referral also points out that you did not fully complete the cover page for the 2009 Annual Statement of Economic Interests.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file the 2006 Annual Statement of Economic Interests and that you have omitted to complete the cover page of your 2009 Annual Statement of Economic Interests.

The Act provides that not filing and accurately completing the required annual Statements of Economic Interests is prohibited. Specifically the Act provides that Section 81002 (c) requires that the assets and income of public officials that may be materially affected by their official actions should be disclosed. To fulfill that purpose, the Act establishes requirements for certain public officials to file annual statements of economic interest, disclosing their financial interests. (Section 87200, 87300, and 87302.).

Your actions violated the Act because you failed to file the 2006 Annual Statement of Economic Interests and failed to completely fill out the cover page of the 2009 Annual Statement of Economic Interests. Because, however, the filing officer for the Department of Forestry and Fire is unable to locate copies of letters in 2006 alerting you to the fact that you had not filed the

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.


2006 the Department of Forestry and Fire, we are issuing a warning letter to you. This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

If you have questions regarding this matter, please contact Adrienne Korchmaros at (916) 322-8241.

Sincerely,

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 Gary S. Winuk, Chief
Enforcement Division

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cc: Sherry Mark, Filing Officer for the Department of Forestry and Fire